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|                                  |   |                    |
|----------------------------------|---|--------------------|
| In re Application of             | : |                    |
| TAHERI, Bahman et al.            | : |                    |
| U.S. Application No.: 10/554,070 | : | DECISION ON        |
| PCT No.: PCT/US04/12583          | : |                    |
| Int. Filing Date: 23 April 2004  | : | PETITION           |
| Priority Date: 24 April 2003     | : |                    |
| Attorney Docket No.: AMN.P0005   | : | UNDER 37 CFR 1.181 |
| For: LIQUID CRYSTAL ACCESSORIES  | : |                    |

This is a decision on the petition under 37 CFR 1.181, filed in the United States Patent and Trademark Office on 26 March 2007.

### **BACKGROUND**

On 23 April 2004, applicants filed international application PCT/US04/12583, claiming a priority date of 24 April 2003. The deadline for payment of the basic national fee was 24 October 2005.

On 21 October 2005, applicants filed papers for entry into the national stage of PCT/US04/12583, including the basic national fee.

On 07 July 2006, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905), indicating that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of the search fee, examination fee or oath or declaration were required.

On 20 February 2007, the Office mailed Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to timely reply to the Notification of Missing Requirements.

On 26 March 2007, applicants filed a petition under 37 CFR 1.181 to withdraw the holding of abandonment.

### **DISCUSSION**

Applicants claim to have submitted a timely response to the Notification of Missing Requirements and ask that holding of abandonment be withdrawn. To withdraw the holding of abandonment, applicants must provide sufficient evidence of an earlier, timely filing with the Office and a copy of the earlier submission.

Applicants have provided a date-stamped postcard receipt identifying the above captioned application and listing a declaration, an extension of time and a credit card form. Applicants have provided a copy of the declaration they claim to have earlier submitted and indicate that the fee for late filing of the declaration and fee for the extension of time were charged. The copy of the declaration is accepted as having a receipt date of 22 September 2006.

The duplicate late surcharge for the late filing of the search fee, examination fee or oath or declaration and duplicate extension of time fee will be refunded to applicants' credit card.

**CONCLUSION**

For the above reason, applicants' request to withdraw the holding of abandonment is **GRANTED.**

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 20 February 2007 is **VACATED.**

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further action consistent with this decision. The application has a 35 USC 371(c)(1), (c)(2) and (c)(4) date of 22 September 2006.

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Adjustment date: 06/27/2007 SBASHEIR  
03/28/2007 MKAYPAGH 00000112 10554070  
01 FC:2617 -65.00 OP

Refund Ref: 0030042176  
06/27/2007

Adjustment date: 06/27/2007 SBASHEIR  
03/28/2007 MKAYPAGH 00000112 10554070  
02 FC:2251 -60.00 OP

Credit Card Refund Total: \$125.00

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